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10/766,211	01/29/2004	Kang Soo Seo	46500-000578/US	3350

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EXAMINER
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JONES, HEATHER RAE

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2481

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments***

1. Applicant's arguments filed May 5, 2011 have been fully considered but they are not persuasive.

The Applicant argues that Ando et al. cannot be combined with Kato et al., Jung et al., and Seo et al. The Examiner respectfully disagrees. Ando et al. is in the same field of endeavor as the Kato et al., Jung et al., and Seo et al. references, which all have to do with recording video and audio on a disk. In order to incorporate the ideas taken from Ando et al. into the Kato et al. reference one would not need to incorporate all of the ideas disclosed by the Ando et al. reference as a whole. Furthermore, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Secondly, the explanation for claim 13 does not include limitations from another application, but rather the extra information is there to help further explain the Ando et al. reference. Therefore, Ando et al. is combinable with the Kato et al., Jung et al., and Seo et al. references and the rejection is maintained.

The Applicant argues that the cited references do not illustrate the "still picture unit". The Examiner respectfully disagrees. Seo et al. is referenced in order to disclose that the still picture unit includes both the still picture and associated graphic data. Paragraph [0039] discloses that the presentation data

consists of a plurality of high-density Packs (still picture units), which include several Transport Packets. Each Pack includes Transport Packets containing real A/V data and Transport Packets containing Presentation Language (associated graphic data - see Fig. 2). Furthermore, Paragraph [0006] discloses that the packets are all separated and then displayed synchronously. Ando et al. already discloses the idea of separating the audio from the video into two streams. Seo et al. was only referenced to disclose the graphic data being included with the image data. Therefore, the cited references meet the claimed limitations and the rejection is maintained.

The Applicant argues that the cited references fail to teach the graphic data and the still picture being included in a still picture unit in one file and managed by a playitem and the audio data in a separate file and managed by a separate playitem. The Examiner respectfully disagrees. Seo et al. discloses the still picture unit as discussed above. Kato et al. discloses the one playitem that manages the image data and another playitem (sub-playitem) that manages the audio data (Fig. 7 – discloses the main play item directing the image data and the sub-playitem directing the audio data). However, Kato et al. fails to disclose the main playitem includes not only the image data, but the graphic data as well. Jung et al. was only referenced to disclose a playitem that points to both the image data and graphic data (subtitle data). In Jung et al. the playitem includes the audio data too, but it has already been taught by Kato et al. that the audio data can be separated out with the sub-playitem being the one to point to the

audio data. Therefore, the combination of the cited references meet the claimed limitations and the rejection is maintained.

The Applicant argues that Ando et al. fails to teach the first and second duration information. The Examiner respectfully disagrees. Ando et al. discloses in col. 39, lines 38-59 the display time for a slideshow that includes a minimum and maximum duration of display time for each image. Furthermore, Ando et al. discloses the code the minimum and maximum duration time if the image is to be display infinitely and also explains the situation when the image is to be displayed for a finite time. Therefore, Ando et al. meets the claimed limitations and the rejection is maintained.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEATHER JONES whose telephone number is (571)272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter-Anthony Pappas can be reached on 571-272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Heather R Jones  
Examiner  
Art Unit 2481

HRJ  
May 21, 2011

/Peter-Anthony Pappas/  
Supervisory Patent Examiner, Art Unit 2481